IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

INCOME TAX APPEAL NO.249 OF 2002

The Commissioner of Income-tax,
Bombay City-II, Aayakar Bhavan,
M.K. Road, Bombay-20. Appellant

versus

Tractor Engineers Ltd. Respondent

Mr. K. R. Chaudhary i/b. Mr. H. D. Rathod for the appellant.

Ms. Heena Doshi i/b. T. Pooram & Co. for the respondent.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 16th August 2004

P.C.

The learned counsel for the revenue fairly concedes that the controversy raised in this appeal is squarely concluded by the decision of the Supreme Court in the case of Commissioner of Income-tax v. Indo Nippon Chemicals Co. Ltd., 261 ITR 275.

2. He, therefore, seeks withdrawal of the appeal.

3. Appeal is allowed to be withdrawn.

4. Refund of court fee as per law.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)